

Amendment
Serial No. 10/656,113
Attorney Docket No. 031120

REMARKS

Claims 1-16 are pending in the present application and are rejected. Claims 5, 12, and 14 are herein amended. New claim 17 is added herein.

Applicants' Response to Objections to the Specification

The Office Action objects to the specification because reference characters 21 and 30 are both used to designate the "main body." Further, the Office Action states that reference character 21 is used to designate both the main body and base. It is noted that in Figure 2 for example, reference character 30 is used to refer to the main body, into which sliding tray 20 is inserted. Reference character 21 is used to refer to a portion of the sliding tray 20. In order to remove these conflicts, Applicants herein amend the specification such that all references to "main body 21" are changed to "base 21."

Applicants' Response to Claim Objections

The Office Action objects to claims 5 and 14. Claim 5 is objected to because the recitation of "he" should be changed to "the." Applicants herein amend claim 5 to correct this error.

Claim 14 is objected to because it is misdescriptive. In response, Applicants herein amend claim 14 in order to clarify the language. Favorable reconsideration is respectfully requested.

Applicants' Response to Claim Rejections under 35 U.S.C. §102

Claims 1, 12 and 14 are rejected under 35 U.S.C. §102(e) as being anticipated by Tamura (U.S. Patent No. 6,570,727).

It is the position of the Office Action that Tamura discloses the invention as claimed. Tamura is directed at a method and apparatus for erasing information from a disk using an externally generated magnetic field. Tamura discloses in Figure 4 an erasing apparatus 400 having magnets 412 and 414 disposed in a top portion 402 and magnets 416 and 418 disposed in a bottom portion 404. This creates a magnetic field as illustrated in Figure 5. The disks 136 are rotated and the entire disk device 100 is inserted into the erasing apparatus 400, such that the magnetic field erases the disks. The disks 136 then cease rotation and the disk device 100 is removed from the erasing apparatus 400.

Alternatively, Tamura also discloses erasing apparatus 900 in Figure 9. This embodiment uses the same principles as those in the primary embodiment. The erasing apparatus includes magnet section 920 and insertion/removal section 910. Insertion/removal section 910 includes clamp mechanism 912 and probe pins 916, and travels back and forth on feeding mechanism 914. This results in a disk device being inserted into and removed from the magnet section 920, in order to erase the disk device.

Regarding claim 1, it is the position of the Office Action that Tamura discloses a first transferring member that can move the magnetic field generating source in a predetermined direction inside the main body case and a second transferring member that can move a magnetic recording medium in a direction substantially perpendicular to a movement direction of the

magnetic generating source on the upper surface of the main body case. It is the position of the Office Action that the first transferring member is the "member attached on the right to 920."

In response, Applicants respectfully submit that Tamura does not disclose such a transferring member. In Tamura, magnet section 920 is stationary. The member that the Office Action refers to is a mounting bracket for the magnet section 920, and is not mobile. Tamura only discloses a single transferring member, which is the insertion/removal section 910. Unlike the claimed invention, the disks are provided with power to rotate via the probe pins 916. See column 4, lines 58-60. Because of this rotation, only a single transferring member is needed in order to erase all areas of the disks. Therefore, Applicants respectfully submit that Tamura does not disclose or suggest "a first transferring member that can move the magnetic field generating source in a predetermined direction inside the main body case." Instead, the magnet section 920 of Tamura is fixed, and cannot move. Applicants respectfully traverse the rejection.

With regard to claim 12, the Office Action argues that Tamura discloses the invention as claimed. The Office Action broadly interprets magnet section 920 of Tamura such that it reads on "a main body case in which the magnetic field generating source is internally attached to the ferromagnetic plate with the ferromagnetic plate an upper surface side."

In response, Applicants herein amend claim 12 in order to recite that the path has "a space capable of accommodating the entire magnetic recording medium." Tamura does not disclose a magnetic field generating means having a space capable of accommodating the entire magnetic disk drive on the tray. The magnetic section 920 disclosed by Tamura does not have a space capable of accommodating the entire disk drive 100. This is clear from Figure 6B and the fact

Amendment
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Attorney Docket No. 031120

that the probe pins 916 supplying the power to the spindle motor of the disk drive to rotate the disks, as described at column 4, lines 56-60, are arranged outside the magnetic section 920, illustrated in Figure 9. In Tamura, the erasure of the information recorded on the disk occurs upon the rotation thereof. Therefore, the magnetic section of Tamura cannot have a space capable of accommodating the entire disk. Applicants respectfully submit that claim 12 is patentable over Tamura. Further, Applicants respectfully submit that claim 14 is patentable due to its dependency on claim proposed amended claim 12.

Applicants' Response to Claim Rejections under 35 U.S.C. §103

Claims 13, 15 and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Tamura in view of Huffman et al. (U.S. Patent No. 3,711,750).

With regard to claim 13, it is the position of the Office Action that Tamura discloses the invention as claimed, with the exception of the first magnetic field generating source being constructed to be movable in a direction perpendicular to a central axis of the path. With regard to claim 15, it is the position of the Office Action that Tamura discloses the invention as claimed, with the exception of a portable carrying case. With regard to claim 16, it is the position of the Office Action that Tamura discloses the invention as claimed, with the exception of a magnetic shield plate for preventing leakage of a magnetic flux to the outside of the carrying case. The Office Action relies on Huffman to provide these teachings.

In response, Applicants respectfully submit that claim 13 is patentable due to its dependency on claim 12, which Applicants submit is patentable for the reasons discussed above.

Amendment
Serial No. 10/656,113
Attorney Docket No. 031120

Further, Applicants respectfully submit that claims 15 and 16 are patentable due to their dependency on claim 1, which Applicants submit is patentable for the reasons discussed above. Favorable reconsideration is respectfully requested.

Allowable Subject Matter

The Office Action indicates that claims 2-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all limitations of the base claim and any intervening claims. Although Applicants submit that claim 1 is patentable for the reasons discussed above, Applicants herein add new claim 17, which includes the recitations of claims 1 and 2. Since the Office Action indicates that claim 2 is allowable, claim 17 is presumed to be allowable.

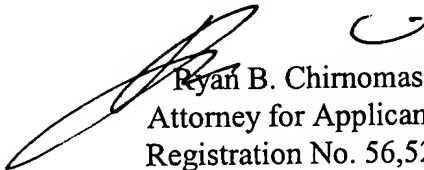
For at least the foregoing reasons, the claimed invention distinguishes over the cited art and defines patentable subject matter. Favorable reconsideration is earnestly solicited.

Should the Examiner deem that any further action by applicants would be desirable to place the application in condition for allowance, the Examiner is encouraged to telephone applicants' undersigned agent.

Amendment
Serial No. 10/656,113
Attorney Docket No. 031120

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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